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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/473,241	12/27/1999	JAE-DUK YANG	678-413-(P89	9746

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EXAMINER

VUONG, QUOCHIEN B

ART UNIT

PAPER NUMBER

2681

DATE MAILED: 12/06/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/473,214

Applicant(s)

JAE-DUK YANG

Examiner

Quochien B Vuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/02/99.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement submitted on 04/03/00 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the petition is granted and the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2, 5, 8-10, 14, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Applicant's Admitted Prior Art (Korean Patent Application Number 1995-46026 cited in the background of the invention).

Regarding claim 1, Applicant's Admitted Prior Art (AAPA) teaches a method of controlling of an operation mode of a TV phone, wherein the TV phone includes a TV

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unit that reproduces and outputs a video signal and an audio signal from a selected channel, a display unit that interfaces with the TV unit and receives and displays the video signals from the TV unit while in a TV mode, a TV audio signal processor that receives the audio signal processor that receives the audio signal from the TV unit and outputs audible sound, a mobile radio frequency processor (MRFU) that receives data of a forward channel transmitted from a base station, and a mobile signal processor (MSP) that provides a channel selecting signal to the TV unit in the TV mode, and transmits and receives an audio signal input from the MRFU in a phone mode (page 2, lines 1-17), the method comprising the steps of:

 alerting the user of an incoming call in response to an incoming signal transmitted from the base station when the TV phone is in a TV mode (page 3, lines 10-13); and

 switching from the TV mode to the phone mode (page 3, lines 13-16, wherein the user manually switches the TV mode to the phone mode).

Regarding claim 2, AAPA teaches the step of switching from the TV mode to the phone mode is in response to input by the user of a command that permits the call to proceed (page 3, lines 13-16, wherein the user manually switches the TV mode to the phone mode).

Regarding claim 5, the switching from the TV mode to the phone mode includes transmitting an incoming call response message to the calling party through a reverse channel, this step is inherently present in AAPA teaching because in order to establish a

connection it must have a forward channel to receive the call and a reverse channel to acknowledge the call within the communication system.

Regarding claim 8, AAPA teaches the step of alerting the user of an incoming call includes generating an audio output from a speaker of the TV phone (page 3, lines 10-13, i.e., the phone rings).

Regarding claim 9, AAPA teaches the switching step includes disabling the operation of the TV unit (page 3, lines 13-16, i.e., turn off the TV).

Regarding claim 10, AAPA teaches the disabling of the operation of the TV unit is by interrupting power supply voltage supplied to the TV module (page 3, lines 13-16, i.e., turn off the TV).

Regarding claim 14, AAPA teaches a method of controlling switching of an operation mode of a TV phone (page 2, lines 1-17), the method comprising the steps of:

alerting the user of an incoming call in response to an incoming call signal transmitted from the base station when the TV phone is in a TV mode (page 3, lines 10-13); and

switching from the TV mode to the phone mode (page 3, line 13-16, wherein the user manually switched the phone mode from the TV mode).

Regarding claim 15, AAPA teaches the switching step includes disabling the operation of the TV unit (page 3, lines 13-16, i.e., turn off the TV).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Hadar et al. (U.S. Patent Number 5,870,389).

Regarding claim 3, AAPA teaches the method of controlling switching of an operation mode of a TV phone as described in claim 1.

AAPA fails to teach the step of switching from the TV mode to the phone mode is prevented in response to input by a user of a command rejecting the incoming call.

However, Hadar et al. teach preventing to answer the call in response to input by the user of a command rejecting the incoming call by pressing the "End" key (column 18, line 58 – column 19, line 4).

Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to adapt the teaching of Hadar et al. for rejecting the incoming call to the method of AAPA so that the user does not have to switch from the TV mode when the user does not want to answer the incoming call and stop the call alerting (ringing or vibrating) to save power.

Regarding claim 4, the combination of AAPA and Hadar et al. teach the method as described in claim 3, in addition Hadar et al teaches the input by the user of a

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command rejecting the incoming call terminates the step of alerting the user of an incoming call (column 18, line 58 – column 19, line 4).

7. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Shimanuki (U.S. Patent Number 5,890,071).

Regarding claim 6, AAPA teaches the method of claim 1.

AAPA fails to teach the step of alerting the user of an incoming call includes displaying a character message on the display unit.

However, Shimanuki teaches the step of alerting the user of an incoming call includes displaying a character message on the display unit of TV phone (column 6, lines 35-60).

Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to adapt the teaching of Shimanuki to display the character message on the display for alerting the user of the incoming call to visually alert the user of the incoming call and prevent missed calls.

Regarding claim 7, AAPA teaches the method of claim 1.

AAPA fails to teach the step of alerting the user of an incoming call includes interrupting of an audio output from a speaker of the TV phone.

However, Shimanuki teaches the step of alerting the user of an incoming call includes interrupting of an audio output of a broadcast from a speaker (column 5, line 36-50).

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Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to adapt the teaching of Shimanuki to interrupt the audio output from a speaker and replace it with the ringing tone to alert the user of the incoming call and prevent missed calls.

8. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Mack, II et al. (U.S. Patent Number 5,991,637).

Regarding claim 11, AAPA teaches the method of controlling switching of an operation mode of a TV phone as described in claim 1.

AAPA fails to teach the step of switching from the TV mode to the phone mode is performed automatically upon receipt of an incoming call signal.

However, Mack, II et al. teach a step of automatically switching from a passive communication device mode to the phone mode upon receipt of an incoming call (column 3, lines 46-58).

Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to adapt the teaching of automatically switching to the phone mode upon receipt of an incoming call of Mack, II et al. to the switching step of AAPA so that the user can quickly answer the incoming call and prevent missed call.

Regarding claim 12, the combination of AAPA and Mack, II et al. teach the method as described in claim 11, in addition Mack, II et al. teach automatically or manually switching to the phone mode upon receipt of the incoming call (column 3, lines 46-60), and additional step setting the TV phone to an automatic mode (i.e., enable the

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automatic answering) prior to reception of the incoming call signal, the step of switching from the TV mode to the phone mode being enabled by the setting of the automatic mode and occurring automatically (column 10, lines 38-54).

Regarding claim 13, the combination of AAPA and Mack, II et al. teach the method of claim 11, in addition AAPA teaches the switching from the TV mode to the phone mode inherently includes transmitting an incoming call response message to the calling party through a reverse channel because in order to establish a connection it must have a forward channel to receive the call and a reverse channel to acknowledge the call within the communication system.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Taniguchi et al. (U.S. Patent Number 5,056,153) teach a mobile electric accessory apparatus.

Yuyama et al. (U.S. Patent Number 5,612,732) teach a portable compact imaging and displaying apparatus with rotatable camera.

Gouessant (U.S. Patent Number 5,920,806) discloses a television system with peripheral device.

10. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

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or faxed to:

(703) 872-9314.

Hand-delivered responses should be brought to Crystal Park II, 2021
Crystal Drive, Arlington, VA 22202. Sixth Floor (Receptionist).

Any inquiry concerning this communication from the examiner should be directed to Quochien B. Vuong whose telephone number is (703) 306-4530. The examiner can normally be reached on Monday through Friday from 9:30 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost, can be reached on (703) 305-4778.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (703) 306-0377.



Quochien B. Vuong

Nov. 26, 2001.